HELLERSTEIN, J

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

THE RETIREMENT PLAN OF THE UNITE HERE NATIONAL RETIREMENT FUND and the Trustees of the UNITE HERE National Retirement Fund,

Plaintiffs.

- against -

CLARION BEACHWOOD HOTEL.

Defendant.

1/19/0)

STIPULATION

07 Civ. 9509 (AXIF)

It is hereby stipulated and agreed by and between the respective parties hereto that the time to answer or otherwise move of Defendant, Clarion Beachwood Hotel, shall be extended until December 12, 2007. Said Defendant hereby acknowledges receipt of the Summons and Complaint and admits the jurisdiction of the Court to hear the case.

CLARION BEACHWOOD HOTEL

General Manager Clarion Beachwood Hotel

26300 Chagrin Boulevard Beachwood, OH 44122

(216) 831-5150

THE RETIREMENT PLAN OF THE UNITE HERE NATIONAL RETIREMENT FUND AND THE TRUSTEES OF THE UNITE HERE NATIONAL RETIREMENT FUND

Jaimie Davis

Schulte Roth & Zabel LLP 919 Third Avenue New York, New York 10022 (212) 756-2000

Attorneys for Plaintiffs

SO ORDEREDS

7